

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

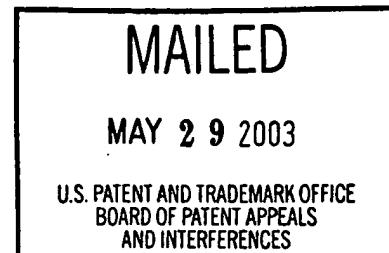
Paper No. 23

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte JOHN H. LEE,
JOSEPH D. HAH, and
ROBERT C. MUSSER

Application No. 09/392,243



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on May 13, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

A Reply Brief (Paper No. 22) was received on May 6, 2003, in response to the Examiner's Answer (Paper No. 21, entered March 3, 2003). There is no indication that the examiner has considered this paper.

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Accordingly, it is

ORDERED that the application is returned to the Examiner for consideration of the Reply Brief, written response to appellants, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



Dale M. Shaw
Program and Resource Administrator
(703) 308-9797



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